REMARKS

Claims 1 to 12 are pending in the application.

Claim Rejections - 35 U.S.C. 101

Claims 1-12 stand rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Examiner points out that in order for methods to be considered proper under § 101, the claimed process must either be tied to a particular machine or transform a particular article to a different state or thing. In view of this rejection, claim 1 has been amended by introducing a computer system of the offeror and a computer system of the identification verification system, wherein both computer systems perform specific tasks:

the offeror assigns, in a computer system of the offeror, the identification code to the offer selected by the user;

a non-contact identification verification is carried out by comparing, in a computer system of the identification verification system, the identification code saved in the mobile telecommunication system of the user with the assigned identification code of the reservation when the user enters with the mobile telecommunication unit a predetermined physical range of the identification verification system.

Thus, particular machines are provided that perform specific tasks within the method.

Reconsideration and withdrawal of the rejection under 35 USC 101 are therefore respectfully requested.

Rejection under 35 U.S.C. 103

Claims 1-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Russell et al. (US 6,568,595)*.

According to the examiner, *Russell* teaches a method of selling services and/ or products by using telecommunications link, wherein the user selects a provider's products, transmits an identification code (as set forth in claim 1), the provider sends codes to the code verification system (claim 1: symbol reader), and the system triggers a non-contact code verification and grants access to the user upon code verification.

Examiner points out that even though *Russell* does not specifically mention the mobile communication network it is however well-known in the art to use wireless communication to access the Internet.

Russell discloses a method for enabling electronic commerce. The method involves an Java-Applet that enables electronic commerce and is embedded within an HTML-encoded document stored in an HTTP server at a predetermined URL. To activate the electronic commerce capability at a Java-enabled Internet terminal, a code symbol such as a magnetic strip or bar code encoded with the URL must be read by a code symbol reader provided at the Internet terminal. This causes the corresponding HTTP document to be automatically accessed and displayed at the terminal. The electronic-commerce enabling Java-Applet is then initiated so that the customer can now conduct an electronic-commerce transaction over the Internet.

To distinguish the present invention from this method, claim 1 has been amended as follows:

The user selects an offer and transmits an identification code to the offeror, which identification code is user-specific and saved in a mobile telecommunication unit of the user and transmitted by the mobile telecommunication unit. *Russell* does not disclose a user-specific identification code that is stored in a mobile telecommunication unit of the user and transmitted by the mobile telecommunication unit. *Russell* discloses in col. 19, line 60, to col. 20, line 11, that:

"Optionally, other types of information can be encoded within the transaction-enabling mag-stripe card of the present invention so as to carry out transaction-access authorization, and other security functions known in the art (e.g., expiration date control, etc.). For example, expiration-data control can be carried out by encoding certain bits along a particular data track of the mag-stripe to represent the expiration date of the transaction-enabling card. **Restricted-user control can be carried out by (1)** encoding certain bits along a particular data track of the mag-stripe to **encode a personal identification code for access** by the HTTP server hosting the transaction-enabling HTML document, **and (2) requiring the user to manually enter a preassigned access code** when the transaction "home" Web page is displayed, thereby **completing the security protocol** established by the transaction service provider. Notably, such security techniques can be carried out using

URL-encoded (1-D and 2-D) bar code symbols in a manner similar to that described hereinabove."

The identification code is encoded in the mag stripe and read out by a reader at a terminal and at the terminal an access code must be entered. This cannot suggest the user-specific identification code saved in a mobile telecommunication unit and transmitted by said unit.

The method of the present invention further comprises that the offeror assigns, in a computer system of the offeror, the identification code to the offer selected by the user and makes a reservation for the offer with the assigned identification code, the offeror transmitting the reservation for the offer together with the assigned identification code to an identification verification system. The method of *Russell* does not disclose or suggest that an identification code is assigned to an offer selected by the user. *Russell* only teaches that upon code read-out and verification the HTTP document is displayed on the Internet terminal used by the user and the Java Applet is launched so that now through the Internet terminal e-commerce transactions are enabled, i.e, it is at this point of interaction that the user may select an offer.

The method of the present invention further comprises conducting a non-contact identification verification by comparing, in a computer system of the identification verification system, the identification code saved in the mobile telecommunication system of the user with the assigned identification code of the reservation when the user enters with the mobile telecommunication unit a predetermined physical range of the identification verification system. In *Russell* there is no step of selecting an offer and assigning the identification code to the offer by the computer system of the offeror, there is also no verification step as claimed in claim 1 where the identification code saved in the mobile telecommunication unit is compared to the assigned identification code of the reservation when entering a physical range of the identification verification system.

It is therefore respectfully submitted that the invention as now claimed is not obvious in view of *Russell*.

Reconsideration and withdrawal of the rejection of the claims under 35 USC 103(a) are respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or **e-mail** from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on May 18, 2010,

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